



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20350-1000

SECNAVINST 5500.29B
N09N

28 September 1992

SECNAV INSTRUCTION 5500.29B

From: Secretary of the Navy
To: All Ships and Stations

Subj: USE OF DEADLY FORCE AND THE CARRYING OF FIREARMS BY
PERSONNEL OF THE DEPARTMENT OF THE NAVY IN CONJUNCTION
WITH LAW ENFORCEMENT, SECURITY DUTIES AND PERSONAL
PROTECTION

Ref: (a) OPNAVINST 5530.14B
(b) OPNAVINST 5580.1
(c) OPNAVINST 3591.1C (NOTAL)
(d) MCO 3574.2G (NOTAL)

Encl: (1) DOD Directive 5210.56 of 25 Feb 1992
(2) Personal Protection Firearms Qualification Course

1. Purpose. To implement enclosure (1).
2. Cancellation. SECNAVINSTs 5500.29A and 5500.32B.
3. Applicability. This instruction applies to all military members, civilian employees or contract security forces of the Navy and Marine Corps who carry firearms as specified in enclosure (1).

4. Policy

a. Navy and Marine Corps personnel regularly engaged in law enforcement and security duties shall be armed. Prior to being armed, they shall be qualified per references (a) through (d), as appropriate. Individuals will remain so qualified during the period in which they are armed. Commanders and Commanding Officers may revoke an individual's authorization to carry a firearm as a result of a safety or policy violation.

b. The Commander, Naval Investigative Service Command (NISCOM), is delegated authority to arm appropriately trained NISCOM Special Agents. He may further delegate this authority to Regional Directors. The Commander, NISCOM may authorize NISCOM Special Agents to carry non-government issued handguns for use in the performance of duties. Each authorization to carry a non-government weapon shall include a termination date, not later



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than one year from the date of the authorization. The authorization shall also advise the agent that only government provided ammunition may be used in that weapon while the agent is performing official duties. All such handguns will be certified as meeting Department of the Navy and NISCOM safety and operational standards.

c. The Commandant of the Marine Corps is delegated authority to arm appropriately trained military personnel of the Marine Corps assigned to law enforcement, security and counter-intelligence duties and personnel assigned to the Criminal Investigations Division. The Commandant may further delegate this authority.

d. NISCOM Special Agents and Marine Corps Criminal Investigators shall be issued credentials that reflect their authority to carry concealed firearms.

e. Authority to arm military or civilian officials of the Navy for personal protection, outside the continental United States, under section C, page 1-1 of enclosure (1), is delegated to the Chief of Naval Operations, Vice Chief of Naval Operations, and Fleet Commanders in Chief.

f. Authority to arm military or civilian officials of the Marine Corps for personal protection, outside the continental United States, under section C, page 1-1 of enclosure (1), is delegated to the Commandant of the Marine Corps and the Assistant Commandant of the Marine Corps.

g. Military and civilian officials of the Navy and Marine Corps not regularly involved in full time law enforcement, security or counterintelligence duties shall not carry firearms for personal protection within the continental United States or when they have been provided an official Protective Service Detail, unless specifically authorized by the Chief of Naval Operations or the Vice Chief of Naval Operations or the Commandant of the Marine Corps or Assistant Commandant of the Marine Corps, respectively.

h. All military and civilian officials of the Navy and Marine Corps authorized to carry firearms must receive annual firearms safety instruction, weapons qualification, sustainment training and instruction regarding the use of deadly force required by references (a) through (d), as appropriate.

(1) Firearms safety training will consist of instruction on the safe handling and carrying of authorized weapons. (Navy firearms instructors will be qualified per references (a) and (c).)

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(2) Firearms qualifications for Navy personnel and civilian officials who will be armed for personal protection will, at a minimum, consist of the course of fire in enclosure (2). Marine Corps personnel and civilian officials will qualify per reference (d).

i. This instruction does not apply to Navy and Marine Corps personnel performing operational or training missions under section B3 of enclosure (1).

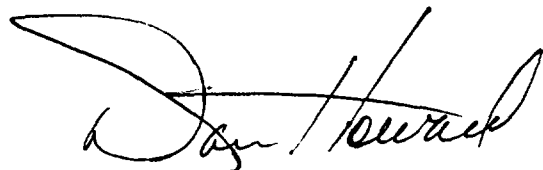
j. Authorization to carry firearms will be granted upon satisfactory completion of weapons familiarization/qualification training, use of deadly force training, and proficiency testing required by references (a) through (d) as appropriate.

(1) Navy military and civilian personnel will be issued OPNAV 5512/2 (Rev. 6-81), which will be signed by the appropriate authorizing official (Commanding Officer or individual designated in writing by the Commanding Officer). This form does not have to be in possession of the individual while the weapon is carried, except as noted under subsection D3 of enclosure (1). The authorization must be withdrawn whenever the person to whom issued no longer meets the training, qualification or proficiency requirements, or no longer needs to be armed.

(2) Except for Marine Corps criminal investigators and protective service personnel, whose credentials authorize the carrying of concealed firearms, Marine Corps military personnel whose duties require the carrying of concealed firearms and Marine Corps civilian personnel whose duties require the carrying of firearms, open or concealed, will be issued the OPNAV Form 5512/2 (Rev. 6-81), which will be signed by the appropriate authorizing official (Commanding Officer or individual designated in writing by the Commanding Officer). This form will be in the possession of the individual while armed.

5. Action. Addressees will issue or revise as necessary all orders, regulations and instructions to comply with the provisions of this instruction.

6. Form. OPNAV 5512/2 (Rev 6-81), Authorization to Carry Firearms, S/N 0107-LF-055-1400, may be obtained through normal supply channels per NAVSUP P2002D.



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Department of Defense
DIRECTIVE

SECNAVINST 5500.29B

28 SEP 1992

February 25, 1992
NUMBER 5210.56

ASD(C3I)/IG

SUBJECT: Use of Deadly Force and the Carrying of Firearms by
DoD Personnel Engaged in Law Enforcement and Security
Duties

- References:**
- (a) DoD Directive 5210.56, "Use of Force by Personnel Engaged in Law Enforcement and Security Duties," May 10, 1969 (hereby canceled)
 - (b) DoD Directive 5210.66, "Carrying of Firearms by DoD Personnel," March 17, 1986 (hereby canceled)
 - (c) Section 1585 of title 10, United States Code
 - (d) Title 14, Code of Federal Regulations, Part 108.11, "Carriage of Weapons," current edition
 - (e) Section 1472 of title 49, United States Code

A. REISSUANCE AND PURPOSE

This Directive:

1. Reissues reference (a), replaces reference (b), and consolidates policy and procedures for the carrying of firearms and use of deadly force by DoD military and civilian personnel engaged in law enforcement or security duties.

2. Implements the provisions of reference (c) that govern the carrying of firearms by civilian DoD personnel performing law enforcement and security duties, and references (d) and (e) that apply to the carrying of firearms by DoD military and civilian personnel aboard commercial aircraft.

B. APPLICABILITY AND SCOPE

This Directive:

1. Applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Unified and Specified Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

Enclosure (1)

2. Authorizes DoD personnel to carry firearms while engaged in law enforcement or security duties, protecting personnel, vital Government assets, or guarding prisoners.

3. Does not apply to DoD personnel engaged in military operations and subject to authorized rules of engagement, or assigned to duty in the following areas or situations, as defined by an Executive order or a DoD Directive:

a. In a combat zone in time of war.

b. In a designated hostile fire area when rules of engagement apply, or when the combatant commander issues operations orders setting forth different criteria.

c. Under the operational control of another Federal Agency carrying firearms in support of the mission, subject to the approval and requirements of both the Federal Agency and the DoD Component.

d. Civil disturbance mission area.

e. Military Services personnel performing training missions.

4. Requires that the principles defined in this Directive on use of deadly force with firearms be applied equally to personnel using any weapon or equipment which, when properly employed in their intended application, would exert deadly force.

5. Requires establishing criteria for compliance with its provisions by contract security forces.

C. DEFINITIONS

1. Deadly Force. Force that a person uses causing, or that a person knows or should know would create a substantial risk of causing, death or serious bodily harm. Deadly force shall be used only as set forth in enclosure 2.

2. Defense Criminal Investigative Organizations (DCIOs) Means the Naval Investigative Service Command, the Air Force Office of Special Investigations, the Army Criminal Investigations Command, and the Defense Criminal Investigative Service, and any successor organizations.

3. Serious Bodily Harm. Does not include minor injuries, such as a black eye or a bloody nose, but does include fractured or dislocated bones, deep cuts, torn members of the body, serious damage to the internal organs, and other life-threatening injuries.

4. Armed. Equipped with a loaded firearm.

D. POLICY

It is DoD Policy:

1. To limit and control the carrying of firearms by DoD military and civilian personnel. The authorization to carry firearms shall be issued only to qualified personnel when there is a reasonable expectation that life or DoD assets will be jeopardized if firearms are not carried. Evaluation of the necessity to carry a firearm shall be made considering this expectation weighed against the possible consequences of accidental or indiscriminate use of firearms. DoD personnel regularly engaged in law enforcement or security duties shall be armed. Procedures on authorization to carry and the carrying of firearms are in enclosure 1.

2. That DoD military and civilian personnel engaged in law enforcement or security duties shall avoid the use of force where they can carry out their duties without resorting to its use. In such cases where the use of force is warranted, DoD personnel shall use the minimum amount of force necessary to reach their objective. Deadly force shall only be used as described in enclosure 2.

3. That when personnel must carry firearms aboard aircraft, either on their person or in baggage, commercial airline or military passenger service representatives shall be notified before the flight departure. Personnel shall carry written authorization to carry the firearm and proper identification to include a full-face photograph. If the firearm is carried in baggage, the weapon shall be unloaded and securely locked in the baggage. Procedures for the authorization and carrying of firearms on commercial and/or military aircraft are in enclosure 3.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense for Command, Control, Communications and Intelligence shall monitor compliance with this Directive as it relates to counterintelligence, law enforcement and security matters.

2. The Inspector General of the Department of Defense shall monitor compliance with this Directive as it relates to criminal investigative policy and law enforcement functions in the DCIOs.

3. The Heads of the DoD Components shall:

a. Authorize DoD personnel to carry firearms in accordance with this Directive. This authority shall be exercised by the Director of Administration and Management for OSD; the Defense Advanced Research Projects Agency; the Defense Legal Services Agency; the Defense Security Assistance Agency; and the DoD Field Activities.

b. Establish, as needed, implementing procedures to ensure compliance with this Directive.

c. Ensure that local commanders develop criteria, consistent with this Directive and local law, for the carrying of firearms and the use of force by contract security forces.

F. PROCEDURES

The procedures for the arming of DoD law enforcement and security personnel, the use of deadly force, and the carrying of firearms aboard aircraft are in enclosures 1 through 3, respectively.

G. EFFECTIVE DATE AND IMPLEMENTATION

1. This Directive is effective immediately. Forward one copy of implementing documents to the Assistant Secretary of Defense (Command, Control, Communications and Intelligence) and the Inspector General, Department of Defense within 120 days.

2. Documents that implement this Directive in overseas areas should be framed in a manner to satisfy applicable provisions of international agreements or arrangements relating to law enforcement and security matters.



Donald J. Atwood
Deputy Secretary of Defense

Enclosures - 3

1. Procedures for the Arming of DoD Law Enforcement and Security Personnel
2. Procedures for Use of Deadly Force
3. Procedures for DoD Personnel Who Carry Firearms While Aboard Commercial and Military Aircraft

PROCEDURES FOR THE ARMING OF
DoD LAW ENFORCEMENT AND SECURITY PERSONNEL

A. Authorizations to carry firearms shall be granted by the Heads of the DoD Components or their designees. Personnel to be issued a firearm shall be briefed thoroughly on their individual responsibilities and shall receive the mandatory training as required by this Directive.

B. An authorization to carry firearms may be granted to personnel authorized to be engaged and in fact engaged in the following activities:

1. Law enforcement activities, including investigations of espionage, sabotage, and other serious crimes in which DoD programs, personnel, or property are the victim, or

a. In cases where DoD personnel are involved in serious crimes; or

b. Where investigations are conducted in hazardous areas or under hazardous circumstances.

2. Protecting classified information, systems, or equipment.

3. Protecting the President of the United States, high ranking Government officials, DoD personnel, or foreign dignitaries.

4. Protecting DoD assets and personnel.

5. Guarding prisoners.

C. DoD military and civilian personnel may be authorized to carry firearms for personal protection in overseas areas when the DoD Component headquarters intelligence center identifies a credible and specific threat against DoD personnel in that regional area. Firearms shall not be issued indiscriminately for that purpose. Authorizations must be approved by the Heads of the DoD Components, or their designees. Before individuals are authorized to carry a firearm for protection under this Directive, the Heads of the DoD Components or their designees must evaluate the probability of the threat in a particular location, the adequacy of support by DoD protective personnel, the adequacy of protection by U.S. or host nation authorities, and the effectiveness of other means to avoid personal attacks.

D. Except in situations requiring immediate action to protect life or vital Government assets, all authorizations to carry firearms by personnel shall be in writing, signed by the appropriate authorizing official, and issued only to personnel who satisfactorily have completed qualification training,

committed an offense of the nature specified in subsections B.2. through B.4. of this enclosure, above.

6. Escapes. When deadly force has been specifically authorized by the Heads of the DoD Components and reasonably appears to be necessary to prevent the escape of a prisoner, provided law enforcement or security personnel have probable cause to believe that the escaping prisoner poses a threat of serious bodily harm either to security personnel or others.

C. For contract security forces, use of deadly force criteria shall be established consistent with this Directive and local law.

D. Personnel shall not be permitted to perform law enforcement or security duties requiring the use of weapons until they have received instruction on applicable regulations for the use of deadly force in the performance of such duties. Additionally, annual refresher training shall be given to all personnel assigned to those duties to ensure that they continue to be thoroughly familiar with all restrictions on the use of deadly force.

E. Personnel carrying weapons for personal protection under the provisions of section C, Enclosure 1, shall have the necessary training on deadly force commensurate with that prescribed by this Directive.

F. Additional requirements for the use of firearms:

1. Warning shots are prohibited.

2. When a firearm is discharged, it will be fired with the intent of rendering the person(s) at whom it is discharged incapable of continuing the activity or course of behavior prompting the individual to shoot.

3. Shots shall be fired only with due regard for the safety of innocent bystanders.

4. In the case of holstered weapons, a weapon should not be removed from the holster unless there is reasonable expectation that use of the weapon may be necessary.

5. The Heads of the DoD Components may establish additional considerations in implementing procedures over the use of firearms.

PROCEDURES FOR DoD PERSONNEL WHO CARRY
FIREARMS WHILE ABOARD COMMERCIAL AND MILITARY AIRCRAFT

A. The following rules satisfy both the Federal Aviation Administration administrative regulations and military directives for DoD personnel who carry firearms aboard commercial and/or military aircraft: (Those rules were developed to ensure the safety of aircraft and the personnel on the aircraft.)

B. DoD personnel authorized to carry firearms aboard commercial and/or military aircraft shall follow the following rules:

1. Personnel shall possess written authorization to carry firearms; i.e., letter of authorization, DoD Component credentials, etc. Exceptions shall only occur as a result of prior coordination with competent authority.

2. If the firearm is not required during the flight, the person carrying the firearm shall:

a. Declare to the commercial airline representative or military passenger service representative before the baggage is checked that a firearm is in the baggage and that the firearm is unloaded.

b. Inform the commercial airline representative or military passenger service representative that the container is appropriate for air transportation. If the firearm is a handgun or other weapon that normally is not fired from the shoulder position, the baggage shall be locked and the key shall be kept by the person carrying the firearm.

3. If a firearm must be accessible during flight, the person carrying the firearm shall:

a. Notify the airlines or passenger service representative at least 1 hour before the plane departs that the weapon shall be carried on the aircraft. If an emergency occurs and the airline cannot be notified 1 hour before the plane departs, then the airline shall be notified expeditiously.

b. Present official Government identification and written authorization, which contain his or her full-face picture, signature, and the official seal of the authorizing organization, to the airline's attendant.

c. Consume no alcoholic beverages eight hours before or during the flight.

C. When the total cabin load of an aircraft on a flight for DoD purposes is used exclusively by the DoD Components, the

following conditions apply to everyone except law enforcement or security personnel whose duties require that they be armed:

1. No firearms shall be loaded (i.e., no magazine inserted or rounds in the chambers) and all bolts to such firearms shall be locked in the "open" position and the safety engaged, as appropriate.

2. Before DoD personnel board the aircraft, the commercial airlines representative or the passenger service representative shall be notified by the unit commander (or officer in charge of the charter) that weapons shall be carried aboard the aircraft.

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1. Sequence of fire for the six shot revolver and any service pistol is:

<u>Distance</u>	<u>Rounds</u>	<u>Sequence</u>	<u>Time</u>
3 yards	12	Draw and fire 2 rounds	4 seconds
		Draw and fire 2 rounds	4 seconds
		Draw and fire 2 rounds	4 seconds
		Reload 6 rounds	No time limit
		Draw and fire 2 rounds	4 seconds
		Draw and fire 4 rounds	7 seconds
		(2 rounds strong hand/ 2 rounds weak hand)	
7 yards	12	Same as 3 yards	
15 yards	12	Same as 3 yards (No weak hand shooting).	

2. Sequence of fire for the five shot revolver is:

<u>Distance</u>	<u>Rounds</u>	<u>Sequence</u>	<u>Time</u>
3 yards	10	Draw and fire 2 rounds	4 seconds
		Draw and fire 2 rounds	4 seconds
		Draw and fire 1 round	3 seconds
		Reload 5 rounds	No time limit
		Draw and fire 1 round	3 seconds
		Draw and fire 4 rounds	7 seconds
		(2 rounds strong hand/ 2 rounds weak hand)	
7 yards	10	Same as 3 yards	
15 yards	10	Same as 3 yards (No weak hand shooting).	

Notes:

1. B-21 silhouette targets will be used for this course of fire.
2. Minimum qualification scores are as follows:
 - a. Six shot revolver or service pistol = 135
 - b. Five shot revolver = 112.

Enclosure (2)